

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Criminal No. 19-826 (CCC)

v.

ORDER FOR POST-INDICTMENT
CONTINUANCE

MALCOLM YARBOROUGH

This matter having come before the Court on the joint application of the United States, by Philip R. Sellinger, United States Attorney for the District of New Jersey (Emma Spiro, Assistant U.S. Attorney, appearing), and defendant Malcolm Yarborough (Anthony Thomas, Esq., appearing), for an order granting a continuance of proceedings in the above-captioned matter from the date upon which this Order is signed through and including November 30, 2022; and time having been excluded from March 16, 2020 through and including June 1, 2021 pursuant to Standing Orders 2020-03, 2020-09, 2020-12, and/or 2021-04; and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to 18 U.S.C. § 3161(c)(1); and the defendant having consented to such continuance and having waived such right; and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. The grant of a reasonable continuance will allow the United States

and the Defendant to engage in plea negotiations. A resolution by way of a plea would render a trial unnecessary;

2. The failure to grant a continuance would deny counsel for the defendant and counsel for the Government the reasonable time necessary to effectively prepare for motion practice and/or trial, taking into account the exercise of due diligence;

3. The defendant has consented to the aforementioned continuance;

4. The grant of a continuance will likely conserve judicial resources;
and

5. As a result of the foregoing, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, therefore, on this 30 day of September, 2022,

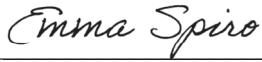
ORDERED that this action be, and hereby is, continued until
November 30, 2022; and it is further

ORDERED that the period from the date of this order through November 30, 2022, be and it hereby is excluded in computing time under the Speedy Trial Act of 1974, 18 U.S.C. § 3161 *et seq.*

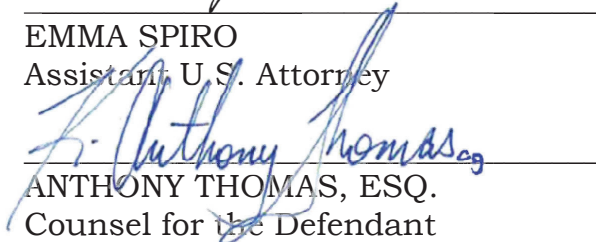


HONORABLE CLAIRE C. CECCHI
United States District Judge

Consented to as to form and entry:



EMMA SPIRO
Assistant U.S. Attorney



ANTHONY THOMAS, ESQ.
Counsel for the Defendant